

Translation

PATENT COOPERATION TREATY

PCT/FR2003/003091



PCT

INTERNATIONAL PRELIMINARY EXAMINATION REPORT

(PCT Article 36 and Rule 70)

Applicant's or agent's file reference MMG B 03 01 PCT	FOR FURTHER ACTION See Notification of Transmittal of International Preliminary Examination Report (Form PCT/IPEA/416)	
International application No. PCT/FR2003/003091	International filing date (day/month/year) 20 octobre 2003 (20.10.2003)	Priority date (day/month/year) 15 janvier 2003 (15.01.2003)
International Patent Classification (IPC) or national classification and IPC A61C 1/14		
Applicant MICRO MEGA INTERNATIONAL MANUFACTURES		

1. This international preliminary examination report has been prepared by this International Preliminary Examining Authority and is transmitted to the applicant according to Article 36.

2. This REPORT consists of a total of 5 sheets, including this cover sheet.

☐ This report is also accompanied by ANNEXES, i.e., sheets of the description, claims and/or drawings which have been amended and are the basis for this report and/or sheets containing rectifications made before this Authority (see Rule 70.16 and Section 607 of the Administrative Instructions under the PCT).

These annexes consist of a total of _____ sheets.

3. This report contains indications relating to the following items:

- I ☒ Basis of the report
- II ☐ Priority
- III ☐ Non-establishment of opinion with regard to novelty, inventive step and industrial applicability
- IV ☐ Lack of unity of invention
- V ☒ Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement
- VI ☐ Certain documents cited
- VII ☐ Certain defects in the international application
- VIII ☐ Certain observations on the international application

Date of submission of the demand 07 juillet 2004 (07.07.2004)	Date of completion of this report 20 April 2005 (20.04.2005)
Name and mailing address of the IPEA/EP	Authorized officer
Facsimile No.	Telephone No.

INTERNATIONAL PRELIMINARY EXAMINATION REPORT

International application No.

PCT/FR2003/003091

I. Basis of the report

1. This report has been drawn on the basis of (Replacement sheets which have been furnished to the receiving Office in response to an invitation under Article 14 are referred to in this report as "originally filed" and are not annexed to the report since they do not contain amendments.):

☐ the international application as originally filed.

☒ the description, pages 1-8, as originally filed,
pages _____, filed with the demand,
pages _____, filed with the letter of _____,
pages _____, filed with the letter of _____.

☒ the claims, Nos. _____, as originally filed,
Nos. _____, as amended under Article 19,
Nos. _____, filed with the demand,
Nos. 1-8, filed with the letter of 07 April 2005 (07.04.2005),
Nos. _____, filed with the letter of _____.

☒ the drawings, sheets/fig 1/3-3/3, as originally filed,
sheets/fig _____, filed with the demand,
sheets/fig _____, filed with the letter of _____,
sheets/fig _____, filed with the letter of _____.

2. The amendments have resulted in the cancellation of:

☐ the description, pages _____

☐ the claims, Nos. _____

☐ the drawings, sheets/fig _____

3. ☐ This report has been established as if (some of) the amendments had not been made, since they have been considered to go beyond the disclosure as filed, as indicated in the Supplemental Box (Rule 70.2(c)).

4. Additional observations, if necessary:

INTERNATIONAL PRELIMINARY EXAMINATION REPORT

International application No.
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V. Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement

1. Statement

Novelty (N)	Claims	3-8	YES
	Claims	1, 2	NO
Inventive step (IS)	Claims	4-8	YES
	Claims	1, 2, 3	NO
Industrial applicability (IA)	Claims	1-8	YES
	Claims		NO

2. Citations and explanations

1. Reference is made to the following documents:

D1: US-A-1 688 136 (CHAYES HERMAN E S ET AL) 16
October 1928 (1928-10-16)

D2: DE 10 18 190 B (DENTAL MFG PASCHWITZ & CO) 24
October 1957 (1957-10-24)

2. The present application fails to comply with the requirements of PCT Article 33(1) since the subject matter of claims 1 and 2 does not meet the requirement of novelty defined in PCT Article 33(2).

2.1 Document D1 describes an assembly consisting of a contra-angle attachment and a dental instrument engageable therewith, which assembly has the same features as that of the present invention. In particular, D1 describes (the reference signs between parentheses apply to this document) an instrument provided with:

- (a) a handle (21) provided with a rotary drive means (20) directly engageable in the assembled position with the handpiece drive means (19), which means both have the same direction of rotation; wherein
- (b) the drive means is a gear wheel (20) engageable

with a gear wheel (19) provided in the contra-angle attachment and secured to a rotary motion transmission shaft;

(c) the contact point between the two gear wheels is at the bottom of the drive gear (figure 2);

(d) the instrument is assembled by placing the head above the handle of the instrument (figure 2); and

(e) the contra-angle attachment comprises a means for releasably axially retaining the handle (30, figure 4).

Claim 1 is not novel.

2.2 Claim 2 is not novel because D1 also describes an instrument with a shoulder (figure 2) adjacent to the drive means.

2.3 The present application fails to comply with the requirements of PCT Article 33(1) since the subject matter of claim 3 does not meet the requirement of inventive step defined in PCT Article 33(3).

The subject matter of claim 3 differs from the content of document D2 in that: "the projecting portion is secured to a movable ring counter to a return spring and concentrically mounted on the outer circumference of the body of the head". It would be obvious for a person skilled in the art aware of document D7, which describes a ring similar to the one described in the present invention, to use said ring.

3. Claims 4 to 8 comply with the requirements of novelty and inventive step of the PCT.